IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

MARY THOMAS,	§	
Plaintiff,	§	
vs.	§	**CIVIL ACTION NO. 4:15-cv-1561**
BLUESTEM BRANDS, INC. d/b/a FINGERHUT,	§	
Defendant.	§	

DEFENDANT BLUESTEM BRANDS, INC.'S INITIAL RULE 26(a)(1) DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, defendant Bluestem Brands, Inc., ("Bluestem") makes the following disclosures concerning the disputed facts alleged with particularity in the pleadings.

INTRODUCTORY STATEMENT

The following disclosures are made based on the information reasonably available to Bluestem as of the date of service. By making these disclosures, Bluestem does not represent that it is identifying every document, tangible thing, or witness possibly relevant to this lawsuit. Nor does Bluestem waive its right to object to production of any document or tangible thing disclosed herein on the basis of any privilege, the work-product doctrine, relevancy, undue burden, or any other valid objection or to object to the introduction into evidence of any such document or tangible thing. Rather, Bluestem's disclosures represent a good-faith effort to identify information that it reasonably believes is relevant to the factual disputes alleged with particularity in the pleadings, as required by Fed. R. Civ. P. 26(a)(1).

Further, it is noted that persons who are not now officers, directors, or managing agents of Bluestem may have information relevant to the factual disputes specified below. Bluestem is not purporting in the following disclosures to make disclosures on behalf of, or based on the information available to, any such person.

Finally, Bluestem's disclosures are made without in any way waiving: 1) the right to object on the grounds of competency, privilege, relevancy and materiality, hearsay, or any other proper ground, to the use of any such information, for any purpose, in whole or in part, in any subsequent proceeding in this action or any other action; and 2) the right to object on any and all grounds, at any time, to any other discovery request or proceeding involving or relating to the subject matter of these disclosures.

All of the disclosures set forth below are made subject to the above objections and qualifications.

INITIAL DISCLOSURES

A. The name, and if known, the address and telephone number of each individual likely to have discoverable information relevant to the disputed facts alleged with particularity in the pleadings, identifying the subjects of the information.

Bluestem identifies the following witnesses (excluding attorneys and expert witnesses) likely to have discoverable information relevant to the disputed facts alleged with particularity in the pleadings:

Name	Address/Telephone	Subject
Mary Thomas	Contact through counsel	Bluestem believes that Ms. Thomas has discoverable information relating to the allegations in this case.
Bluestem Representative	Contact through counsel	A Bluestem representative may have discoverable information about telephone calls attempted, if any, to plaintiff's telephone number.

B. A copy of, or a description by category and location of, all documents, data compilations, and tangible things in the possession, custody, or control of the party that are relevant to the disputed facts alleged with particularity in the pleadings.

Bluestem has no record of an account opened by Plaintiff, or any calls made to Plaintiff. Bluestem reserves the right to supplement its Initial Disclosures as additional information becomes available.

C. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as provided under Rule 35 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of the injuries suffered.

At this stage of the litigation, Bluestem has not asserted any counterclaims and therefore has not advanced any damages theories or calculations. Bluestem reserves the right to seek attorneys' fees.

D. For inspection and copying under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Bluestem is not aware of any insurance agreement, which would be called upon to respond in whole or in part to the claims in this suit.

Dated: November 13, 2015.

Respectfully submitted,

BY: *Luke J. Gilman*

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CERTIFICATE OF SERVICE

This is to certify that the foregoing document was filed with the Clerk of Court using CM/ECF. I also certify that the foregoing is being served this day upon all counsel of record identified either via transmission of Notices of Electronic Filing generated by CM/ECF, or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing, in accordance with the Federal Rules of Civil Procedure.

/s/ Luke J. Gilman
Luke J. Gilman